

**In the United States District Court
For the Southern District of Georgia
Brunswick Division**

FILED
U.S. DISTRICT COURT
BRUNSWICK DIV.

2017 MAY 26 A 8:03

CLERK *D. Taylor*
U.S. DIST. CT. GA.

AARON KAREEM MOORE,

Petitioner,

v.

WARDEN J.V. FLOURNOY,

Respondent.

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CV 216-144

ORDER

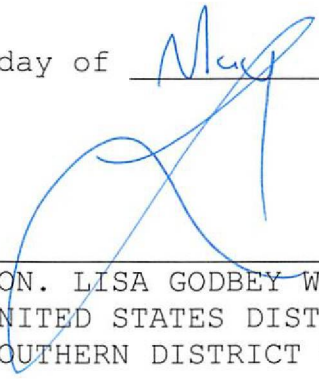
After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's May 1, 2017, Report and Recommendation, dkt. no. 11, to which Aaron Kareem Moore ("Moore") filed Objections, dkt. no. 12. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court and **OVERRULES** Moore's Objections.¹

The Court **DISMISSES WITHOUT PREJUDICE** Moore's Petition for Writ of Habeas Corpus, brought pursuant to 28 U.S.C. § 2241, dkt. no. 1, and **DENIES** Moore leave to proceed *in forma pauperis*

¹ Moore argues that the Magistrate Judge's analysis of his exhaustion is inconsistent with the United States Supreme Court's decision in *Ross v. Blake*, ___ U.S. ___, 136 S. Ct. 1850 (June 6, 2016). Dkt. No. 12, pp. 1-2. However, contrary to Moore's assertions that the grievance procedure operated as "a simple dead end" or that prison administrators thwarted him from taking advantage of the grievance procedure, Moore admits that the Warden did in fact inform him "that if [Moore] did not like the response he could appeal." *Id.* at p. 2. Moore simply opted not to file an appeal.

on appeal. The Court **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case

SO ORDERED, this 25 day of May, 2017.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA